

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|---------------------------------|---|-------------------------------|
| KEVIN S. CLAPP, |) | |
| Plaintiff, |) | |
| |) | |
| V. |) | Civil Action No. 18-10426-ADB |
| |) | |
| MARK COHEN, JOHN FANNING, |) | |
| BRUCE TOBIN, BRIAN TULLY, |) | |
| SCOTT KEARNS, and BRIAN BROOKS, |) | |
| Defendants. |) | |

TRIAL BRIEF OF KEVIN CLAPP

Plaintiff filed a Pre-Trial Memorandum (Docket Number 238). To supplement that filing, this Trial Brief addresses the following questions:

(1) Any proposed questions for the voir dire examination of the jury:

Plaintiff has no voir dire questions for the jury. All questions related to potential bias related to the status of a state trooper as opposed to a civilian witness has been addressed in proposed jury instructions.

(2) Requests for instructions to the jury with citation to supporting authority:

See Docket Number 248.

(3) Any proposed interrogatories or special verdict forms:

See Docket Number 249.

(4) A list of agreed upon exhibits and any exhibits that are objected to:

Plaintiff's Proposed Exhibits (Served upon Defendants on January 30, 2022):

1. Hand Surgical Associates (Medical Records), 3/31/16
2. Letter from Dr. Paul Giella, 10/26/20
3. Photographs from Norfolk Sheriff's Office
4. Plaintiff's Answers to Interrogatories from Bruce Tobin

5. Complaint for Protection from Harassment
6. Use of Force Policy
7. Affidavit of Arthur P. Clapp
8. Hand Surgical Associates, 4/26/16
9. Correspondence from Mayor Joseph C. Sullivan
10. Medical notes from Dr. Giella
11. Evidence Bag- State Police
12. Jury Verdict Slip- Brockton District Court (One Claim)
13. Jury Verdict Slip- Dedham District Court (Three Claims)
14. Brewster Ambulance Service Records
15. Morton Hospital Records
16. Records from Plymouth Sheriff's Department
17. Foreclosure Records
18. Supreme Judicial Court Justice Decision
19. Letter from Office of Attorney General instructing Plaintiff to contact the Norfolk County District Attorney's Office re assault upon Clapp's mother.

Exhibits Objected to by Defendants

Defendants objected to all of Plaintiff's Exhibits

Defendants and Plaintiff stipulated that all proposed exhibits, of both sides, did not require the calling of any keeper of records, but parties reserved the right to object to exhibits on grounds of authenticity and relevance at trial.

Respectfully submitted,
KEVIN CLAPP

By his Attorney,

/s/ Robert C. Johnson, Jr.
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CERTIFICATE OF SERVICE

I certify that I served a copy of the attached document to all counsel of record, via ECF, and to those not so registered via First Class mail on this day the 15th of March, 2022.

/s/ Robert C. Johnson, Jr.

Robert C. Johnson, Jr.

